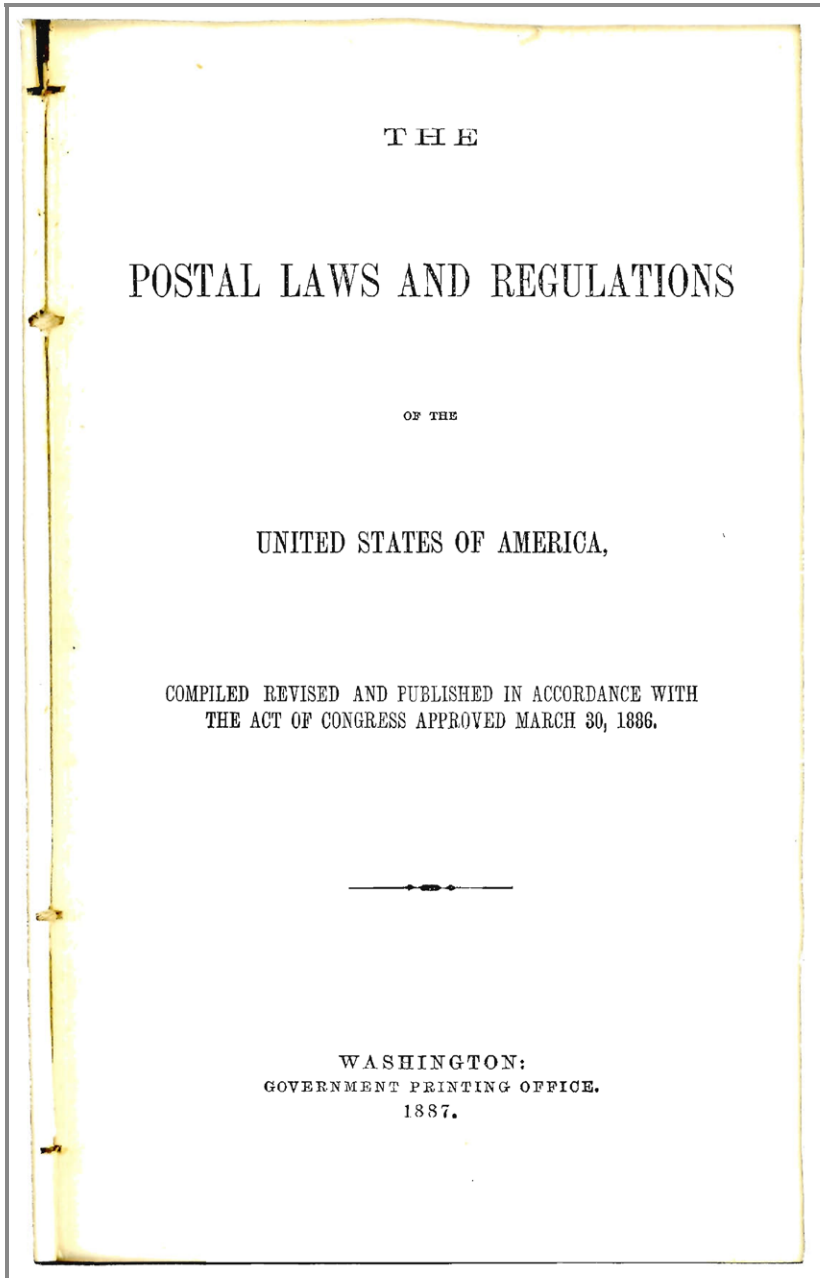


# US Postal Laws & Regulations

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Year: 1887

Receiving offices



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**Sec. 548. Postage-due Matter not to be Stopped, &c.**—Postage-due matter must not be stopped or rated up at intermediate offices in transit. The duties in respect to it omitted by the mailing postmaster are to be performed by the postmaster at the office of address.

**Sec. 549. Uncanceled Stamps not to be Canceled.**—Matter dispatched from a post-office, on which the stamps were not properly canceled, is not to be stopped in transit nor the stamps thereon canceled at any office but that of destination. The statute makes it the duty of the postmaster at the office of delivery to deface them and report the delinquent postmaster. (See section 516.)

#### AT RECEIVING OFFICES—OPENING OF MAILS.

**Sec. 550. Opening Pouches.**—Upon the arrival of the mail at any post-office, the mail sacks and pouches addressed to that office, and none other, should be opened, first being examined to ascertain if they were properly locked, and are not cut or torn so that mail matter could have been lost or abstracted therefrom. Upon being emptied the pouch or sack should be carefully examined to see that no mail matter is left therein. Printed wooden labels for sacks of newspaper mail and printed slide labels for pouches must be taken off when the sacks or pouches are opened, and returned by first mail to the post-office or line from which they were received, the wooden labels to be classed with newspaper mail, and the slide labels as letter mail. Under no circumstances are any such labels to be defaced or destroyed.

As to procedure when lock or key is defective and pouch cannot be opened, see sections 888 and 889.

As to registered matter, see chapter thirty-five.

**Sec. 551. Errors in Distribution or Making up; Receipt or Dispatch of Mail, how Noted and Reported.**—On opening and assorting the mail the postmaster or clerk will examine it for errors in distribution and making up, which will be noted and reported to the division superintendent as follows:

1. All errors found in the distribution of any package of letters or in any sack of newspapers must be noted on the reverse side of the slip covering or inside of the same, giving the name of post-office, county, or State, if included in the superscription, adding thereto the name of the person noting the error, and postmarking with date.
2. If any package or sack arrive without slips, the division superintendent must be promptly notified of the fact, and the mailing office, if known, and the label must be sent to him with report.
3. Any irregularities in the receipt or dispatch or forwarding of any mail will also be promptly reported.
4. Any mail received at his post-office which has not been properly

distributed or made up by railway postal clerks, should be promptly reported, and the slips covering or received with the same should be sent with the report.

**Sec. 552. Disposition of Slips Received.**—All slips received upon packages of letter or circular mail, or in sacks of newspaper mail, upon which errors have been noted, must be preserved and sent to the division superintendent daily from first and second class offices, weekly from all others. All other slips may be treated as waste paper. A supply of facing slips can be obtained from the division superintendent at any time, or from the Department. (See sections 469 and 472.)

**Sec. 553. Back Stamping.**—Every postmaster, upon receipt of the mail, will immediately place the postmark of his office upon the back of every letter therein received, showing the date and hour of the day when the letter was received. The value and importance of this practice are so great that failure to observe this rule, if continuous or repeated after notice, will be ground for removal from office.

#### AT RECEIVING OFFICES—DEFICIENT POSTAGE.

**Sec. 554. Postmasters to Search for and Rate up.**—Postmasters at the office of delivery may remove the wrappers and envelopes from mail matter not charged with letter postage, when it can be done without destroying them, for the purpose of ascertaining whether there is upon or connected with any such matter anything which would authorize or require the charge of a higher rate of postage thereon. (R. S., § 3882.)

On opening the mail the postmaster will look over the letters and packages to ascertain whether the postage thereon has been sufficiently prepaid, and will rate up the amount found to be due on all matter, not free, dispatched inadvertently without any prepayment, at double its proper rate (sections 320, 558); and on all first-class matter prepaid at one full rate, but not fully prepaid, and on all other partially but insufficiently prepaid matter, at full rates, according to its class and weight, and note in writing or stamp the amount due on each letter or parcel.

**Sec. 555. Official Matter Deliverable at Washington.**—Any part-paid letter or packet addressed to either of said Departments or Bureaus [the Executive Departments or Bureaus thereof, the Agricultural Department and Public Printer] may be delivered free; but where there is good reason to believe the omission to prepay the full postage thereon was intentional, such letter or packet shall be returned to the sender. (Act of July 5, 1884, § 3, 23 Stats., 158; fully quoted in section 415.)

**NOTE.**—This exemption from the payment of deficient postage on matter addressed to the Executive Departments or Bureaus thereof before delivery applies only at the Washington City post-office.

**Sec. 556. Mail to the Postmaster Himself.**—When insufficiently prepaid matter addressed to a postmaster reaches its destination, he may refuse to pay the additional necessary postage and take the matter out of the office, which must then be treated as “refused” matter; but if he takes the matter he must pay the deficient postage.

**Sec. 557. Postage Due must be Collected and Stamps Affixed.**—No mail matter shall be delivered until the postage due thereon has been paid. (R. S., § 3900). That all mail matter of the first class upon which one full rate of postage has been prepaid shall be forwarded to its destination, charged with the unpaid rate, to be collected on delivery; but postmasters, before delivering the same, or any article of mail matter upon which prepayment in full has not been made, shall affix, or cause to be affixed, and canceled, as ordinary stamps are canceled, one or more stamps equivalent in value to the amount of postage due on such article of mail matter, which stamp shall be of such special design and denomination as the Postmaster-General may prescribe, and which shall in no case be sold by any postmaster nor received by him in prepayment of postage. That, in lieu of the commission now allowed to postmasters at offices of the fourth class upon the amount of unpaid letter postage collected, such postmaster shall receive a commission upon the amount of such special stamps so canceled, the same as now allowed upon postage stamps, stamped envelopes, postal cards, and newspaper and periodical stamps canceled as postages on matter actually mailed at their offices: *Provided*, That the Postmaster-General may, in his discretion, prescribe instead such regulation therefor at the offices where free delivery is established as, in his judgment, the good of the service may require. (Act of March 3, 1879, § 26, 20 Stats., 361.)

That any postmaster or other person engaged in the postal service who shall collect, and fail to account for, the postage due upon any article of mail matter which he may deliver, without having previously affixed and canceled such special stamps, as hereinbefore provided, or who shall fail to affix such stamp, shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be punished by a fine of fifty dollars. (Act of March 3, 1879, § 27, 20 Stats., 362.)

**NOTE.**—The requirement of the statute is that postage-due stamps shall be affixed on all matter of whatever character on which postage is due, including ship letters, foreign letters, advertised letters, all over-weight matter, and all matter rated below its proper class, notwithstanding the mailing postmaster has failed to charge it.

**Sec. 558. Collection of Double Postage.**—Double rate should, under the statute (section 320), be charged only on matter reaching its destination with no evidence of any prepayment whatever. A drop letter deposited in an office without prepayment of postage is not subject to



double rates. When it is apparent from the envelope or wrapper that a stamp has been on it and has been wholly or partially lost off, the postmaster may assume the matter to have been prepaid. But the evidence that the stamp has been affixed must be from the blank in the impression of the canceling stamp. In such case, first-class matter will be presumed to have been prepaid one full rate only, as that would entitle it to be forwarded. Letters on which postage-due stamps, but no other, are affixed, arriving at the office of destination, must be charged double rate on delivery, as the postage upon mailing cannot be paid in postage-due stamps. The mailing postmaster should in such cases be reported to the Third Assistant Postmaster-General, who will charge his account with such stamps.

**Sec. 559. Time of Affixing Postage-due Stamps.**—At all other than free-delivery post-offices postmasters will affix the postage-due stamps when, and not until, the delivery of the matter has been requested; and hence not to matter forwarded by request of the addressees, returned to writer, or sent to the Dead-Letter Office. But at free-delivery post-offices they will be affixed on all deficient matter as soon as received; unless an order is on file for the letter to be forwarded, in which case, if practicable, it will be forwarded without affixing such stamps.

When matter arrives at a post-office with postage due thereon, and the postmaster has no postage-due stamps on hand, he will collect the amount due, and so soon as he shall obtain postage-due stamps affix the amount in such stamps to a sheet of paper, cancel, and forward the same to the Third Assistant Postmaster-General with statement of the facts.

If the postage stamps upon a registered letter or parcel do not cover the proper postage and registration fee, the receiving postmaster must proceed according to section one thousand one hundred and fourteen.

**Sec. 560. Credit for Postage Stamps Affixed to Undelivered Matter.**—When at free-delivery offices postage-due stamps have been affixed to refused, unclaimed, or other undelivered matter, credit must be claimed therefor, when sent to the Dead-Letter Office, on the dead-letter bill for "postage-due stamps canceled on undelivered mail matter." When returned to writer, or forwarded to another post-office within the United States, a numbered postage-due bill, stating amount due and name of person from whom it is to be collected, must be attached to and sent with the letter. The postmaster receiving the same must detach the bill and return it by next mail with amount of uncanceled postage-due stamps inclosed to the postmaster issuing the bill, who, in case of failure to get a return of bill and stamps within a reasonable time, may obtain proper credit and expose the delinquent postmaster by making a

duplicate bill, from the stub of the original, attaching it to and incorporating it with his regular dead-letter bill, indorsing in the blank space at the end, "DUPLICATE, ORIGINAL NOT RETURNED," or "ORIGINAL RETURNED WITHOUT STAMPS."

When a postmaster at an office other than a free-delivery office, receives matter from a free-delivery office to which postage-due stamps have been affixed, and which proves undeliverable, he should send the same to the Dead-Letter Office with special claim for credit for postage-due stamps refunded by him, attached thereto.

In forwarding to foreign countries mail matter on which postage-due stamps have been canceled, the original bill, indorsed "FOREIGN LETTER FORWARDED," should be attached to and sent with the dead-letter bill. (See section 607.)

Sec. 561. First-class Rate on Matter Closed Against Inspection Cannot be Remitted, as the statute forbids its delivery at less rate than for matter of the first class. (See section 376.) If the addressee feels aggrieved at such charge, he may deposit the deficient postage and require the package to be sent unopened to the Third Assistant Postmaster-General for his decision whether it be so wrapped as to require it to be rated as first-class matter; and the postmaster shall promptly transmit it accordingly, under penalty envelope, with proper letter of advice. The postmaster must give the claimant a receipt for his deposit; the receipt to be returned to him on delivery of the article, if his decision be confirmed.

#### FORWARDING MAIL MATTER.

Sec. 562. Prepaid Matter to be Forwarded.—Prepaid letters shall be forwarded from one post-office to another, at the request of the party addressed, without additional charge for postage. (R. S., § 3940.)

1. The matter to be forwarded at request of addressee without additional charge for postage, includes letters prepaid at one full rate (two cents), parcels prepaid at first-class rates, postal cards, official matter, and free county publications (within the county of publication).

2. Other mail matter, whenever forwarded, must be charged with additional postage at the same rate as if originally mailed at the forwarding office, with the rate noted thereon thus: "POSTAGE DUE FOR FORWARDING, ——— CENTS," unless the addressee or some one for him prepay the postage required for forwarding; in which case the necessary stamps will be affixed and canceled. At the office of destination, the matter will be treated as deficient matter unless the postage for forwarding has been prepaid.

3. Requests to forward given by any other person than the addressee, or his lawful agent, or the person in whose care the matter is addressed,



will be disregarded; the husband of an addressee will be presumed her agent when she has not directed her mail to be withheld from his control.

4. A general request to forward matter should be observed until revoked.

5. The direction may be changed and matter reforwarded upon request as many times as may be necessary to reach the addressee.

6. Matter entitled thereto should be promptly forwarded in the next mail. (As to special-delivery matter, see section 694.)

7. Penalty envelopes must not be used to forward letters; but if there be insufficient space to write correction of address, a piece of paper should be attached for the purpose.

As to forwarding registered matter, see sections 1111 and 1113.

**Sec. 563. Erroneously Addressed or Delivered Matter, &c.; when to be Forwarded.**—When any article of mail matter has been erroneously delivered, it may, on being returned to the post-office, be forwarded upon due request, as if it had not passed from the post-office. Any matter proper to be forwarded free, addressed to the care of another, and returned by him redirected, may be forwarded in like manner. Matter which has been opened inadvertently upon misdelivery may be forwarded. As postal cars, mail apartments in cars and steamboats, are designated as post-offices, a deposit in such car or apartment, at the post-office originally addressed, of unopened letters properly readdressed for forwarding, is permissible; and the deposit in a letter box established by the Department, is equivalent to a deposit in the post-office.

The postmaster will correct and forward to its known destination any matter of the first and second classes which comes to his office through obvious mistake of the sender in addressing it, but should not guess at the destination, nor forward it on trial. If sure that it can be delivered from the office to which he sends it, he will postmark it and indorse: "DEFICIENCY IN ADDRESS SUPPLIED BY" (name of forwarding office).

**Sec. 564. Letters under Cover to Postmasters.**—Postmasters will forward all first-class matter on which one full rate of postage is prepaid which may reach them under cover from any other post-office with or without request to mail the same. Before forwarding, they should cancel the stamps and indorse in writing or stamp on such matter the following: "RECEIVED AT \_\_\_\_\_, UNDER COVER FROM THE POST-OFFICE AT \_\_\_\_\_."

#### DELIVERY OF ORDINARY MAIL MATTER.

**Sec. 565. Must be from Post-Offices.**—Mail matter must be delivered from post-offices. Railway postal clerks will not, in any case, deliver matter

to the persons addressed. It must be sent to and delivered at the office of address. The exceptions to this rule are the following:

1. Matter addressed to a discontinued office may be delivered from the nearest office thereto.

2. When a letter from a foreign country arrives, not in a closed mail, directed to a post-office other than that at the port of arrival, and the person addressed so specially desires, the postmaster at the port of arrival may deliver him the letter upon being satisfied of his identity.

3. Any ambassador or other diplomatic representative of a foreign government may, on his request, personally receive his mail matter from any post-office through which it may be passing, the postmaster being sure of his identity.

4. A postmaster at whose office mail matter in transit is lying, delayed by floods or other casualties which have made the mail route impassable, may deliver matter to the parties addressed, upon their personal or written application, and sure identification.

5. Railway postal clerks may deliver to any post-office inspector, who may enter their postal cars, any mail matter addressed to such inspector, when sure of his identity by seeing his commission.

**Sec. 566. General Directions for Delivery.**—The following general directions are given for the delivery of mail matter:

1. The delivery in each case should be to the person addressed, or according to his order. Such order may be implied in some cases, as where the addressee is in the habit of sending for or receiving his mail through his clerk, servant, agent, or some member of his family, and recognizing or acquiescing in such delivery.

2. When a person requests delivery to him of the mail of another, claiming that the addressee has verbally given him authority to receive it, the postmaster, if he doubts the authority, may require it to be in writing, signed and filed in his office.

3. When in doubt as to the identity of the addressee the postmaster may require proof, and should exercise great care, especially where the matter appears to be of value, to make proper delivery, as he is in peril of liability for damages to the proper party if he misdelivers.

4. Where two or more persons of the same name receive mail at the same office the postmaster should advise them to adopt some address or means by which their mail may be distinguished. He will deliver according to his best judgment; and will not return it to the mailing office for better description of the addressee, until, after inquiry, he is unable to determine to whom it should be delivered.

5. Mail matter addressed to a person in care of another should be delivered to the addressee, if he so direct, rather than to the person to

whose care it is addressed. In the absence of such direction, it should be delivered to the first of the two persons who may call for it.

6. Mail matter addressed to several persons may be delivered to any one of them.

7. Mail matter addressed to a public official, or to an officer of a corporation, by his official title, should be delivered to the person actually holding the office designated in the address, the presumption being that the matter was intended for the officer as such, rather than the individual named. This regulation also applies to the delivery of letters addressed to persons as "agent" or "agents," when the agency is of some public matter or of the business of some corporation, but not when the agency is merely of an individual or firm.

8. Neither husband nor wife can control the delivery of correspondence addressed to the other. When so instructed, a postmaster must refuse to deliver letters to the husband which are addressed to the wife, or those to the wife which are addressed to the husband. In the absence of instructions to the contrary, the wife's letters should be placed in the husband's box, and delivered to him with his own letters unless known to live separately.

9. A person engaged in a legitimate business may adopt a business name, and when duly identified, may receive his mail, registered or ordinary, by that name, as well as by his proper name.

For SPECIAL RULES GOVERNING DELIVERY OF REGISTERED MATTER, see sections 1116 to 1128.

**Sec. 567. Official Letters to Pensioners.**—A letter from the Pension Office, in Washington, D. C., may be delivered to the person in whose care it may be addressed, as well as to the pensioner or a member of his family; but a letter addressed to a pensioner from the office of an agent for paying pensions must be delivered to the pensioner or some member of his family, even though addressed in the care of a third person; because such address is prohibited. A pensioner's order, verbal or written, instructing the postmaster to deliver letters to him from a pension agent, or from the Pension Office, to an attorney, claim agent, or broker, must be disregarded. If a communication from the Commissioner of Pensions, or a pension agent, addressed to a pensioner, reaches a post-office after the pensioner has died, leaving no surviving widow or children under sixteen years of age, the postmaster should return the communication to the office from which it came, or to the Commissioner of Pensions, Washington, D. C., with a statement of the fact. If there be a surviving widow, the letter should be delivered to her. If no widow, then to the guardian, if any, of the children surviving under sixteen years of age.

**Sec. 568. Mail Matter Addressed to Minors.**—Where minor children reside with their parents, the father, or if he be dead, the mother generally is entitled to direct the disposition of mail matter addressed to such minors, and unless the minors be under guardianship, may authorize another to receive mail matter addressed to them, although they be not residing with the parent, and the postmaster should deliver accordingly, requiring directions in writing if he deem it necessary. In the absence of directions from a parent or guardian, or one authorized to control his correspondence, mail matter addressed to a minor may be delivered to him; and, especially if living independently, he is entitled to control his correspondence. Mail matter addressed to a deceased minor, who up to the time of decease resided with parents or guardian, may be delivered to the parent or guardian; but if the minor left a husband or widow, delivery may be made to him or her.

**Sec. 569. Mail Matter Addressed to Deceased Persons.**—Mail matter addressed to a deceased person must be delivered to his legal representative; if there be none, delivery may be made to a surviving husband or widow, unless there be other claimants, in which event the postmaster should report the facts of the case to the First Assistant Postmaster-General, and await instructions. If there be no legal representative, surviving husband, or widow, and others claim such mail matter, it should be sent to the Dead-Letter Office with the return of unclaimed matter, with a statement of the facts. (See section 607.)

**Sec. 570. Partnerships and Corporations.**—

1. Mail matter addressed to a firm may be delivered to any member of it.

2. The postmaster is not required to decide disputes between members of an existing firm as to delivery of its matter. If it has previously been through box or general delivery, he will continue to place the mail therein; if through carrier, he will instruct the carrier to hand the mail matter to any of the members of the firm.

3. If the firm be dissolved and contention arise, the postmaster's action will be governed by section five hundred and seventy-one.

4. Mail matter addressed to a corporation should be delivered to the agent or officer conducting its correspondence, or to such person as is authorized by the corporation to receive it.

5. Caution should be exercised to resist all attempts to secure the mail of an established house, firm, or corporation through the adoption by others of a similar name. Where disputes arise between individuals, firms, or corporations as to the use of a name or designation, the postmaster should deliver any matter addressed to a street, number, or building according to such address. When not so addressed, he will deliver



matter to the firm or corporation which first adopted the name of the address at that place. When in doubt as to the firm or corporation for which any mail matter is intended, and claim therefor is disputed, the postmaster may withhold delivery and report the facts and any statements made by either claimant to the First Assistant Postmaster-General for advice.

**Sec. 571. Postmaster to Require Appointment of Receiver.**—When a firm or company dissolves partnership, and contention arises as to whom the mail matter addressed to the former business firm or company, or its officials, shall be delivered, a postmaster, being forbidden by one party to deliver to another, should require the appointment of a receiver, retaining all mail matter until said receiver is appointed; and if no such receiver is appointed, or no agreement between the contending parties is reached, before the expiration of thirty days from the date when delivery ceased, the letters in dispute, and all that may arrive thereafter (until an agreement is made or receiver appointed), shall be sent to the Dead-Letter Office marked **IN DISPUTE**.

**Sec. 572. Delivery to Assignee or Receiver.**—Upon the dissolution of a corporation its mail matter should be delivered to the receiver or legal representative charged with the duty of winding up its affairs. When the business of a firm, corporation, or individual has passed into the hands of an assignee or receiver, the mail matter addressed to such firm, corporation, or individual should be delivered to the assignee or receiver in the following cases:

1. When the instrument of assignment authorizes the assignee to receive it and a copy thereof is filed with the postmaster; or
2. When the order of the court by which such receiver was appointed directs him to receive it; or
3. When the members of the firm, officers of the corporation, or person to whom the mail is addressed consent that he shall receive it; or
4. When the firm or corporation has not resumed business under the same name, so as to have correspondence in regard to business or property which did not pass to the assignee or receiver; or
5. When the receiver has been appointed to take charge of, continue, or wind up the business of an existing corporation.

The mail matter should be delivered to the firm or person instead of the assignee or receiver—

1. When the person making the assignment has not consented or agreed that the assignee shall receive mail matter addressed to him, the assignor, and arriving after the assignment, or when it reasonably appears that the matter does not relate to the business assigned.
2. When the firm whose business has been placed in the receiver's

hands is engaged in conducting a new or other business under the former name, or has subsequently acquired or has other property that does not pass into the receiver's hands. In such cases it will be presumed that the mail matter relates to the new or other business.

3. When the order of the court by which the receiver is appointed directs that the mail matter shall be delivered to the person, firm, or some officer of the corporation, instead of the receiver.

**Sec. 573. Delivery according to Agreement of Parties.**—When parties interested in mail matter enter into an agreement as to its delivery, and instruct the postmaster as to whom he shall deliver it, he will deliver accordingly until his instructions are changed by mutual consent of the parties, or until the judgment or order otherwise of a court of competent jurisdiction. He may require the instructions to be in writing.

This rule governs the case of the sale of a business. The postmaster is not required to construe the contract or determine rights, but only to comply with such plain directions as may be given by the seller, in their absence delivering to the addressee. The authority to the vendee is not revocable by the seller if there be a right to the mail in the vendee.

**574. To Fictitious Addresses.**—Letters and packages addressed to fictitious persons and firms, to initials, or to no particular person or firm, unless directed to be delivered at a designated place, as a post-office box, street, and number, or to the care of a certain person or firm, within the delivery of the post-office, are undeliverable, and must be sent to the Dead-Letter Office, as prescribed by section six hundred and two, unless the envelope contain the card of the sender, or a request to return, in which case the letters or packages should be returned accordingly.

Whenever a postmaster has reason to believe that a street or number, designated place, box, or address in care of another is being used by any one for conducting, under a fictitious address, correspondence forbidden circulation in the mails, he should promptly report the fact and the reason for his belief to the First Assistant Postmaster-General, and await his instructions, giving notice at the same time at the place where such letters and packages have been received that, pending instructions from the Department, the claimant of such matter must call at the general delivery to receive it, where it is the duty of the postmaster to have it placed, and to deliver it to the person calling for it, upon establishing his identity.

**Sec. 575. To Agent of Club.**—Any number of citizens may employ an agent, and give him a written order on the postmaster for their mail; and when such order is presented to the postmaster, it is his duty to deliver the mail of such parties, and also mail addressed to a person



in care of any such parties, to the named agent. When the mail is so delivered the responsibility of the postmaster ceases.

**Sec. 576. To Mail Carriers, to be Carried out of Mails.**—Mail matter of patrons of an office may, at their request, be delivered to the mail carrier, to be carried out of the mail and handed to them on his route before he passes another post-office.

**Sec. 577. Injunctions of Courts to be Obeyed.**—Where mail matter is claimed by different parties, and suit is instituted between them to determine their rights to it, and injunction is granted restraining either or all parties from receiving or the postmaster from making delivery to either or any party, he will obey the injunction and abide the decree of the court as to the disposal of the matter.

**Sec. 578. Letters "Opened through Mistake."**—Where a letter intended for one person is delivered to another of the same name and returned by him, the postmaster will reseal the letter in the presence of the person who opened it, and request him to write upon it the words "OPENED BY ME THROUGH MISTAKE," and sign his name; he will then replace the letter in the post-office. If the person who opens the letter is unable to sign his name, the postmaster will make the indorsement and have the person sign by "mark," in presence of a witness.

**Sec. 579. Of Second-Class Matter.**—A publisher may send a package of second-class matter to one address, and the addressee may call at the post-office, write addresses on single copies, and the postmaster may then deliver them; but the packages cannot be taken away from the post-office and returned again for delivery of the single copies or transmission in the mails, unless postage is prepaid anew. It is not the duty of the postmaster to open a package of papers intended for a club and write the several names of the subscribers thereon; but he may do so.

The liability of persons who take newspapers and periodicals coming to their address, out of a post-office, for the amount of the subscription thereto, is not determined by any postal law or regulation. The postmaster's duty is to deliver the matter on request, or, if unclaimed or refused, to dispose of it as required in sections five hundred and ninety-eight and five hundred and ninety-nine.

**Sec. 580. Of Valuable Letters from Dead-Letter Office, &c.**—When dead letters containing money or other valuable matter are sent from the Dead-Letter Office to a postmaster for delivery to the owners, he will make diligent effort to deliver them to the proper party. They are inclosed to him open to enable him to identify the owner or claimant. He and his clerks must maintain the strictest secrecy as to their contents; and under no circumstances can the postmaster, or any one through

whose hands such letters pass, be allowed to make any exchange for other funds of the money or matter therein contained.

If such letters containing money cannot be delivered, after holding them thirty days from date of receipt, the postmaster will indorse the reason for non-delivery on the circular which accompanies each, and return them to the Dead-Letter Office duly entered on one list, giving the Department letter, number, and book. This list must be sent in duplicate, and when verified one copy will be returned to the post-office. The package should be indorsed "DEAD REGISTERED MATTER FROM ——— [here add name of post-office], and be addressed "Dead-Letter Office, Washington, D. C."

Registered dead letters received containing money must be registered when returned to the Dead-Letter Office. Letters containing articles of value, not money, are not to be so registered on return unless they were received registered. No other kind of letters must be sent in the same package. The postmaster neglecting to register packages containing returned dead letters requiring registration will be held responsible for the contents if lost.

Dead letters containing money or other inclosures, sent from the Dead-Letter Office to a post-office for delivery, must never be forwarded to another post-office, but must be returned to the Dead-Letter Office with all information obtainable as to the whereabouts of the writer or owner; nor must they be retained longer than one month, unless the Superintendent of the Dead-Letter Office specially so direct.

Dead letters without valuable inclosures, when returned from the Dead-Letter Office direct to writers, not under cover to postmasters, may be forwarded to another post-office, when necessary, for delivery.

**Sec. 581. Unmailable Matter; when to be Delivered.**—If any matter excluded from the mails by the preceding section [section 368] of this act except that declared non-mailable by section thirty-eight hundred and ninety-three of the Revised Statutes as amended [380], shall, by inadvertence, reach the office of destination, the same shall be delivered in accordance with its address: *Provided*, That the party addressed shall furnish the name and address of the sender to the postmaster at the office of delivery, who shall immediately report the facts to the Postmaster-General. If the person addressed refuse to give the required information, the postmaster shall hold the package subject to the order of the Postmaster-General. All matter declared non-mailable by section thirty-eight hundred and ninety-three of the Revised Statutes as amended, which shall reach the office of delivery, shall be held by the postmaster at said office subject to the order of the Postmaster-General. (Act of March 3, 1879, § 21, 20 Stats., 360.)

The matter so required to be delivered is the following :

1. Matter in its form and nature liable to destroy, deface, or otherwise damage the contents of the mail bag, or harm the person of any one engaged in the postal service.

2. Matter in excess of lawful weight, postage being paid for its full weight.

But the postmaster should report the facts, date and office of mailing, in both cases, to the First Assistant Postmaster-General.

The matter declared non-mailable by Revised Statutes, sections 3893, as amended, and 3894, and not deliverable, is :

1. Every obscene, lewd, or lascivious book, pamphlet, picture, paper, writing, print, or other publication of an indecent character.

2. Every article or thing designed or intended for the prevention of conception or procuring an abortion.

3. Every article or thing intended or adapted for any indecent or immoral use.

4. Every written or printed card, circular, book, pamphlet, advertisement, or notice of any kind giving information, directly or indirectly, where, or how, or of whom, or by what means, any of the hereinbefore mentioned matters, articles, or things may be obtained or made.

5. Every letter upon the envelope of which or postal card upon which indecent, lewd, obscene, or lascivious delineations, epithets, terms, or language may be written or printed. (See section 380.)

6. Matter appertaining to lotteries, gift concerts, or fraudulent schemes or devices.

The regulation for the disposal of undeliverable unmailable matter is given in sections 433, 523, 529, 530, 546, and 609.

For INSTRUCTIONS AS TO DELIVERY BY CARRIERS, see sections 647-661.

#### ADVERTISEMENT OF NON-DELIVERED LETTERS, ETC.

**Sec. 582. How to be Advertised.**—The Postmaster-General may direct the publication of the list of non-delivered letters at any post-office by a written list posted in some public place, or, when he shall deem it for the public interest, he may direct the publication of such list in the daily or weekly newspaper regularly published within the post-office delivery which has the largest circulation within such delivery; and where no daily paper is published within the post-office delivery, such list may be published in the daily newspaper of any adjoining delivery having the largest circulation within the delivery of the post-office publishing the list; and in case of dispute as to the circulation of competing newspapers, the postmaster shall receive evidence and decide upon the fact. Such list shall be published as frequently as the Post-

master-General may deem proper, but not oftener than once a week. (R. S., § 3930.)

A postmaster is not liable to suit by the publisher of a newspaper for refusing to give to him the publication of the list of letters uncalled for, even though he acted maliciously. A public duty is not enforceable by a private action, except when it has been specifically given by statute. (*Foster v. McKibben*, 14 Pa. St. R., 168; also *Strong v. Campbell*, 11 Barb., 135.)

In *United States ex rel. v. Smallwood*, Judge Durriel held that under the acts of 1845 and 1863 (containing substantially these provisions) the publication was in the discretion of the Postmaster-General, but when the discretion is once exercised and publication ordered, it must be through the columns of the paper having the largest circulation within the delivery of the post-office. (2 Am. Law Times Reports, 109.)

**Sec. 583. Advertising Foreign Letters.**—The list of non-delivered letters addressed to foreign-born persons may be published in a newspaper printed in the language most used by them, which shall be selected in the manner prescribed in the preceding section. (R. S., § 3931.)

**Sec. 584. Pay for Advertising.**—The compensation for publishing the list of non-delivered letters shall in no case exceed one cent for each letter so published. (R. S., § 3934.)

No expense must be incurred for such advertising, unless first specially authorized by the Department.

**Sec. 585. Gratuitous Advertisements.**—If the publisher of any newspaper offer to publish such advertised list gratuitously, the postmaster must furnish a copy for the purpose on the days when lists are given out for advertising; and if more than one publisher offer, a copy must be furnished to each simultaneously.

**Sec. 586. Posting List of Advertised Letters.**—Every postmaster shall post, in a conspicuous place in his office, a copy of each list of non-delivered letters immediately after its publication. (R. S., § 3933.)

**Sec. 587. Manner of Posting Lists.**—The posting of the advertisement must be by placing one or more printed or manuscript lists of the names of the persons to whom such matter is addressed, the names to be arranged alphabetically, and, when in considerable number, the names of ladies and gentlemen to be in separate lists. Third and fourth class matter should be in a separate list from the letters, with appropriate headings. Care should be taken that the names as given in the lists correspond precisely with the addresses.

**Sec. 588. When to Advertise.**—At post-offices of the fourth class matter should be advertised monthly and as near the first day of the month as practicable; at all other post-offices, weekly, and when practicable on the first day of the week.

**Sec. 589. What to be Advertised.**—All unclaimed matter of the first class, including letters and other matter returned from the Dead-Letter



Office direct to the sender, and valuable matter of the third and fourth class, in hand at the time of advertising, should be included in the advertisement, except registered matter, refused matter, fictitious matter, card and request matter, matter addressed to persons who call regularly at the post-office or which the postmaster has special reason to believe will be called for, matter indorsed "To be held until called for," "*Poste restante*," or similar directions, and matter which the addressee has requested to be retained. Such matter held on request should be marked, "Specially held for delivery."

**Sec. 590. Charge on Advertised Letters.**—All letters published as non-delivered shall be charged with one cent in addition to the regular postage, to be accounted for as part of the postal revenue. (R. S., §3935.)

**Sec. 591. Advertised Matter to be so Marked.**—Every letter or parcel advertised must have plainly written or stamped upon the address side the word "ADVERTISED," together with the date of advertising.

#### RETURN OF UNCLAIMED MATTER.

**Sec. 592. Request Matter.**—When the writer of any letter on which the postage is prepaid shall indorse upon the outside thereof his name and address, such letter shall not be advertised, but after remaining uncalled for at the office to which it is directed thirty days, or the time the writer may direct, shall be returned to him without additional charge for postage, and if not then delivered shall be treated as a dead letter. (R. S., § 3939.)

**Sec. 593. The Time for Return of Request Matter.**—The sender has the right by a subsequent written direction to the postmaster at the office of destination to lengthen or shorten the time originally named on the envelope, after which the letter, if not delivered, shall be returned to him, but it must remain for delivery at least three days; and postmasters must obey such written authority, and return as directed, without additional charge for postage. When the addressee has given general direction to hold his letters until called for, and they are not called for within the time limited in the return request, they should be returned to the sender in accordance with the request.

**Sec. 594. Card and Official Matter.**—Whenever any unclaimed matter of the first class bears the name and address of the sender, as post-office box, number and street, &c., without a request that the same be returned if not delivered, such matter is called "Card matter," and must not be advertised, but must be returned to sender at the expiration of thirty days from the date of its arrival at the post-office of destination. All such matter originating in Canada or Mexico will be treated as herein directed.

All official matter sent under penalty envelopes or labels, or the frank of Senators or Members of Congress, will be treated as card matter, and, if unclaimed, returned to the office of mailing, if known.

A request upon a drop letter for its return to the writer at some other post-office, if unclaimed, cannot be respected unless it has been prepaid with one full rate (two cents) of postage.

Unclaimed letters bearing the card of a hotel, a school, college, or other public institution, which has evidently been printed upon the envelopes to serve as a mere advertisement, should not be returned to the place designated in the cards, unless there is also a request therefor, indicating the writer to whom they should be returned.

A letter which has been opened inadvertently, or upon a wrong delivery, may be returned to the writer without additional charge, when it contains a card or return request. The postmaster must not open letters to ascertain the writer.

Unclaimed card and request letters, prepaid one full rate, but not wholly prepaid, are to be returned to mailing office for delivery to the writer, who will be required to pay the amount originally due. If payment be refused the matter will be indorsed REFUSED, and treated as such. (See section 602.)

**Sec. 595. Postal Cards.**—When the message upon an unclaimed postal card is wholly or partly written, and the name and address of the writer is disclosed, the same shall be returned to writer after thirty days from date of its receipt, with the words "RETURNED TO WRITER," stamped thereon, and his name and address written underneath across the face of the card. If the message be wholly printed, it will be treated as printed matter. (See section 593.)

**Sec. 596. Return of Other than First Class and Request Matter.**—All matter, other than first class, may be returned, but is subject to an additional charge for postage for returning the same. When the sender of matter which would be subject to return postage shall, by indorsement upon the wrapper or otherwise, request its return, postmasters should comply with such request within the time fixed by the sender—if no time is fixed, then at the end of thirty days—first charging such matter, however, with the necessary return postage, and indorse the same "RETURN POSTAGE DUE — CENTS;" and the postmaster at the office to which such matter is returned must affix thereto postage-due stamps sufficient to cover the return postage, and collect the same from the sender before delivering such returned matter. If the sender should refuse to pay return postage, the matter must be disposed of as "REFUSED." If the matter be unclaimed, it will be treated as other unclaimed matter. If postage stamps or money sufficient to pay the return



postage be furnished by the sender, the postmaster at the returning office must affix to the matter returned the necessary stamps and cancel them, the same as if the matter had been originally mailed at his office.

UNCLAIMED SECOND-CLASS AND PRINTED MATTER.

**Sec. 597. Disposal of, Authorized.**—The Postmaster-General may provide, by regulations for disposing of printed and mailable matter which may remain in any post-office, or in the Department, not called for by the party addressed; but if the publisher of any refused or uncalled-for newspaper or other periodical shall pay the postage due thereon, such newspaper or other periodical shall be excepted from the operation of such regulations. (R. S., § 4061.)

**Sec. 598. Regulation as to Disposal.**—Domestic printed matter obviously without value, including printed postal cards, must not be sent to the Dead-Letter Office when unclaimed, except that upon which postage is due, but must be disposed of as waste paper, and the proceeds taken up and accounted for as other postal revenue. (See section 484.)

REFUSED SECOND-CLASS MATTER.

**Sec. 599. Publisher to be Notified.**—Postmasters shall notify the publisher of any newspaper, or other periodical, when any subscriber shall refuse to take the same from the office, or neglect to call for it for the period of one month. (R. S., § 3885.)

**Sec. 600. Notice; when and how Given.**—Notice will be given when a newspaper or periodical is uncalled for, or refused, or when the subscriber changes his address without notifying the publisher or ordering his matter forwarded, upon the blank form furnished for that purpose, which can be procured by application to the First Assistant Postmaster-General, Division of Post-Office Supplies. If the first notification be disregarded, a second may be sent, calling attention also to the fact of previous notice. The notice is to be given to publishers in Canada and Mexico as well as this country.

**Sec. 601. Disposal of Refused Second-Class Matter.**—After notification has been given, as required in the previous section, the postmaster will hold the refused matter for thirty days, after which the same and all copies subsequently arriving should be placed with the waste paper.

AT RECEIVING OFFICES—MATTER TO BE SENT TO THE DEAD-LETTER OFFICE.

**Sec. 602. Dead Matter.**—Dead matter, or such as is to be sent to the Dead-Letter Office from the office of address, may, for convenience, be classified as follows:

1. *Unclaimed.*—That which is not called for and cannot be delivered nor returned as provided in sections five hundred and ninety-two and

the three following, other than second-class matter, to be treated as waste paper, as directed in section five hundred and ninety-eight.

2. *Refused*.—That which for any reason the parties addressed decline to receive, other than second-class matter and printed matter, treated as waste paper, as directed in section six hundred and one.

3. *Fictitious*.—That which is addressed to fictitious or assumed names or to initials, or in any manner so that the person or persons for whom it is intended cannot be identified.

4. *Illegible*.—That which having reached the office of destination is so illegibly or imperfectly addressed that it cannot be ascertained for whom it was intended.

5. *Hotel*.—That which has been delivered at a hotel or public institution, or to a consul, agent, or other public officer, or individual who is in the habit of receiving mail for transient persons, and which has been returned to the post-office from such hotel, &c., as unclaimed.

6. *Obscene*.—That which has reached the office of delivery, but of which delivery is forbidden by section five hundred and eighty-one.

7. *Lottery*.—Circulars concerning lotteries, gift-concerts, or similar enterprises offering prizes, which are unmailable by section three hundred and seventy-nine.

**Sec. 603. Reason for Non-Delivery to be Shown on Matter.**—Upon every undelivered article of mail matter must appear the reason for non-delivery, such as UNKNOWN, REFUSED, REMOVED, FIRM DISSOLVED, DECEASED, IN DISPUTE, &c., as such indication is often of value to the writer. When no other reason can be ascertained, the matter will be indorsed UNCLAIMED, care being taken in indorsing or stamping not to deface or to obscure the original address or postmark.

**Sec. 604. Authority of Postmaster-General as to Dead Matter.**—The Postmaster-General may regulate the period during which undelivered letters shall remain in any post-office, and when they shall be returned to the Dead-Letter Office; and he may make regulations for their return from the Dead-Letter Office to the writers, when they cannot be delivered to the parties addressed. (R. S., § 3936.)

**MANNER, ETC., OF MAKING RETURN TO THE DEAD-LETTER OFFICE.**

**Sec. 605. Time of Return of Unclaimed Matter.**—Advertised matter will be held at fourth-class offices for one month and at all other offices for two weeks after date of advertisement, and then, if undelivered, will be sent to the Dead-Letter Office in regular periodical returns, to be made as follows, viz:

At fourth-class post-offices, once a month.

At other post-offices, once a week.

Sec. 306. Notice, when no Dead Matter to be Sent.—When it happens that there is no matter of any kind to be sent to the Dead-Letter Office at the proper time for making the return of such matter, a statement (Form 1523) properly headed and dated, and the words NO MATTER TO SEND noted thereon, should be sent to the Dead-Letter Office.

Sec. 307. Returns of Unclaimed Matter; how Made up and Transmitted.—In making up returns to be sent to the Dead-Letter Office the following directions will be observed, namely:

1. Every piece of mail-matter should be postmarked by stamp or hand with the name of the post-office and the date of sending to the Dead-Letter Office.

2. Each class of matter should be arranged separately and duly entered on the dead-letter bill (Form 1523) under its proper heading.

3. The bill and the copy of the advertised list must be sent with every return, not tied outside or inclosed in a separate envelope.

4. The advertised list so sent should give the name of the post-office, State, and date of advertising.

5. All matter delivered or otherwise disposed of since advertising should be indicated by a mark drawn through the name on the list.

6. A manuscript list of each piece of third-class matter of obvious value, and of all fourth-class matter, whether advertised or not, should be sent with such matter. For convenience this list may be made on a blank (Form 1522) for unmailable, changing the word UNMAILABLE to UNCLAIMED.

7. The whole return should be wrapped and securely tied in one parcel and plainly addressed, DEAD-LETTER OFFICE, WASHINGTON, D. C. It should also be indorsed, "RETURN OF UNCLAIMED MATTER FROM" (here add name of post-office). A penalty envelope may be used for the address label, but must be fastened securely to the parcel. If there be third or fourth class matter to accompany the return in too great quantity to tie the whole in one parcel, a pouch must be used so that all the matter will be received together.

8. Hotel and fictitious matter must be entered on a list (Form 1522½) and sent separately from other unclaimed matter.

9. Post-offices of the fourth class will use dead-letter bills (Form 1523) printed on white paper. Free-delivery offices will use the special form printed for them on blue paper and will register their returns. All other offices will use forms provided for them printed on yellow paper.

Sec. 308. Returns of Unmailable Matter; when Made.—Unmailable matter must not be held over to be advertised. Post-offices of the first class must make daily, and all other post-offices weekly, returns to the Dead-Letter Office of all unmailable matter deposited therein for mail-

ing (see section 530), or received through the mails, for which other treatment is not specially provided, on hand at the time of return.

**Sec. 609. Returns of Unmailable Matter; how Made up and Transmitted.—**

1. Each return of unmailable matter must be accompanied by a list made on the proper form (No. 1522) for such matter, stating as nearly as possible the full name and address of each article sent.

2. First-class matter should be entered on a list separate from third and fourth class matter.

3. Should be further separated into the classes named in section three hundred and seventy-eight, and the "Held for postage" matter subdivided into "Drop" and "Mail" letters.

4. Each class and subdivision must be arranged and entered on the list alphabetically, and every piece and its entry must be numbered to correspond. Where third and fourth class matter is without address, the pieces should be numbered and a description of each article given. But postal cards and miscellaneous printed matter of no obvious value, need be entered only by a memorandum giving the number of the pieces,

5. Every piece of matter so sent must have plainly written or stamped upon it the specific reason of its being sent, as unmailable, stating whether "held for postage," "coin," "jewelry," "excess of weight or size," "misdirected," &c., and must also bear the name of the post-office, and the date on which it was sent to the Dead-Letter Office, care being taken in indorsing or stamping not to deface the original postmark or address.

6. Postmasters receiving matter postmarked and indorsed "DEFICIENCY IN ADDRESS SUPPLIED," &c., and forwarded in accordance with section five hundred and sixty-three, which cannot be delivered, must, after the expiration of seven days from receipt, send the same to the Dead-Letter Office as unmailable.

7. The returns of unmailable matter must be securely fastened in one package, with the list inclosed, addressed "DEAD-LETTER OFFICE, WASHINGTON, D. C.," and plainly indorsed, "RETURN OF UNMAILABLE MATTER FROM" (here add the name of the post-office). All matter should be included in the same return, unless the quantity of third and fourth class matter be too large to be conveniently made into one package, in which case the first-class matter should be sent in one parcel and the third and fourth in another, each with its proper list.

8. Duplicates of all lists and statements must be retained by postmasters for reference in making searches for missing matter.

9. Unmailable matter and the returns thereof must not be sent with returns of ordinary unclaimed matter.

FOR RETURN OF LETTERS RECEIVED FROM DEAD-LETTER OFFICE, see section 580.

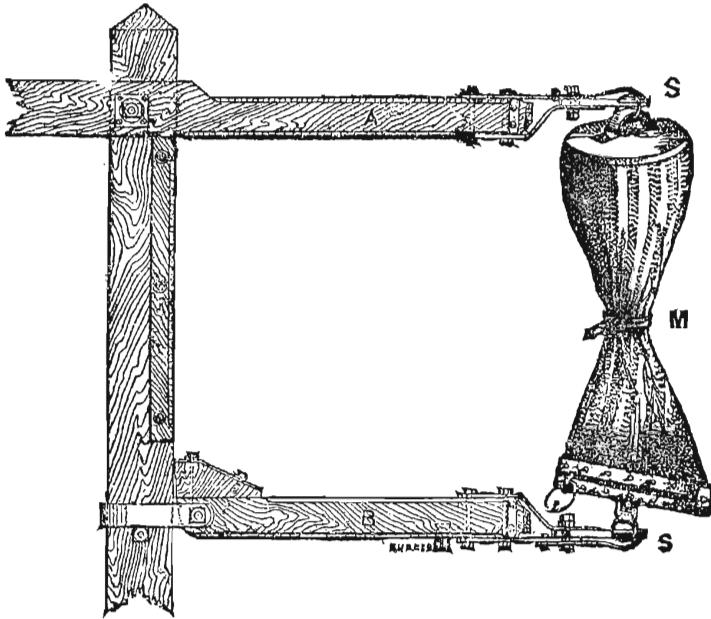


## SPECIAL RULES FOR HANDLING MAILS AT CATCHER POST-OFFICES.

Sec. 610. **Cranes and Catcher Pouches.**—For the purpose of exchanging mails between post-offices at certain way and flag stations and railway offices without stopping or slackening the speed of the train, the “mail catcher” is used. A “crane” is erected at each such station, on which the pouch to be exchanged is hung; and canvas pouches with rings attached to each end and a strap with buckle attached to the center are supplied, to be used only for such exchanges. (See sections 893 and 1017.)

Sec. 611. **How to Prepare Pouches and Hang them on the Crane.**—

1. The pouch or mail bag should be prepared in the following manner: If only a small mail is to be sent, let it remain in the bottom of the pouch, but if a large mail is to be sent divide it, put part in the top,



but most of it in the bottom. Buckle the strap around the center of pouch M. In case the strap is gone, tie the middle of the pouch, as seen in the diagram. It is worse than useless to hang up a bag crammed full like a bag of grain.

2. Hang the bottom of the pouch on the upper iron S of the crane A, turn all directly to the track, then lift lower arm B and place the iron S in the ring of the pouch, slip the socket down the stem until